

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Aug 18, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

HOLLY P.,

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,<sup>1</sup>

Defendant.

NO: 2:20-CV-288-RMP

ORDER ADOPTING REPORT AND  
RECOMMENDATION

BEFORE THE COURT is the Report and Recommendation issued by United States Magistrate Judge Mary K. Dimke on July 26, 2021, ECF No. 29,

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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

1 recommending that the Court grant Plaintiff Holly P.'s<sup>2</sup> Amended Motion for  
2 Summary Judgment, ECF No. 26, and deny Defendant's Motion for Summary  
3 Judgment, ECF No. 27. Objections were due on August 9, 2021, with none  
4 received.

5 After reviewing the Report and Recommendation and relevant authorities, the  
6 Court finds that the Magistrate Judge's determinations are correct.

7 Accordingly, **IT IS HEREBY ORDERED:**

- 8 1. The Report and Recommendation, **ECF No. 29**, is **ADOPTED** in its  
9 entirety.
  - 10 2. Plaintiff Holly P.'s Motion for Summary Judgment, **ECF No. 23**, is  
11 **DENIED AS MOOT.**
  - 12 3. Plaintiff Holly P.'s Amended Motion for Summary Judgment, **ECF No.**  
13 **26**, is **GRANTED.**
  - 14 4. The Commissioner's Motion for Summary Judgment, **ECF No. 27**, is  
15 **DENIED.**
  - 16 5. Judgment shall be entered for the Plaintiff.
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19 <sup>2</sup> In the interest of protecting Plaintiff's privacy, the Court will use Plaintiff's first  
20 name and last initial.

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